

From: [Bill.Zimmerman](#)
To: [Horniak, David](#)
Cc: [Bill.Zimmerman](#)
Subject: RE: Narcan Nasal Spray -- IPR Request
Date: Wednesday, November 06, 2019 1:58:50 PM

David:

Thank you for your email. The approach you outline below, using the default protective order, is acceptable to Indivior. Please contact me if you run into any issues.

Sincerely,
Bill

Bill Zimmerman

Partner

Bill.Zimmerman@knobbe.com

202-640-6404 Direct

Knobbe Martens

1717 Pennsylvania Ave. N.W., Ste. 900

Washington, D.C. 20006

www.knobbe.com/bill-zimmerman

From: Horniak, David <DHorniak@wc.com>
Sent: Wednesday, November 6, 2019 1:55 PM
To: Bill.Zimmerman <Bill.Zimmerman@knobbe.com>
Subject: RE: Narcan Nasal Spray -- IPR Request

Hi Bill,

Apologies for the delay in getting back to you. We agree to Indivior's restrictions, and thank you for your consideration and prompt response. We have looked at the default PTAB protective order (which, as you probably know, is what the PTAB generally enters unless there is a good argument to do something different), and we believe it provides protections consistent with what you have described. If Indivior documents are filed under seal, which is how we will submit them, then subsequent use of the documents will have to occur in sealed proceedings, not in an open hearing. Accordingly, absent objection, we will proceed in this manner. Thanks again.

Best,

David

David Horniak

Williams & Connolly LLP

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(P) 202-434-5852 | (F) 202-434-5029

dhorniak@wc.com | www.wc.com/dhorniak

From: Bill.Zimmerman <Bill.Zimmerman@knobbe.com>
Sent: Tuesday, October 22, 2019 3:02 PM
To: Horniak, David <DHorniak@wc.com>
Cc: Bill.Zimmerman <Bill.Zimmerman@knobbe.com>
Subject: RE: Narcan Nasal Spray -- IPR Request

Dear David:

Thank you for your email. Indivior will consent to the use of the documents attached to your email in the IPR proceedings, provided that the documents are submitted under seal pursuant to a protective order in the IPR proceedings, and provided that the documents are not shown on the screen in open PTAB proceedings, in the same way they were addressed in the district court litigation. Please confirm that you agree to these restrictions.

Sincerely,
Bill

Bill Zimmerman
Partner
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From: Horniak, David <DHorniak@wc.com>
Sent: Tuesday, October 22, 2019 10:00 AM
To: Bill.Zimmerman <Bill.Zimmerman@knobbe.com>
Subject: Narcan Nasal Spray -- IPR Request

Hi Bill,

Thanks for speaking with me yesterday. As you know, we represent Adapt Pharma in litigation involving the patents that cover Narcan® Nasal Spray. Last year, Indivior produced 12 documents in response to a subpoena in litigation between our client and Teva. A company called Nalox-1 pharmaceuticals has now filed *inter partes* review petitions challenging Adapt's patents, and the PTAB has instituted trial. See IPR2019-00685, IPR2019-00688, and IPR2019-00694. We would like Indivior's permission to use a few of the documents it produced in the Teva case in the new *inter partes* review proceeding with Nalox-1.

The documents we are seeking to use in the IPR are the same ones that Indivior authorized us to use at trial (and which we did use at trial) in the Teva matter. I have attached them again for your

reference. If Indivior is amenable, we would be happy to request that the documents be submitted under seal subject to the PTAB's form protective order.

Please let me know if you have any questions, or if there is any other information I can provide that would be helpful. I look forward to hearing from you.

Best,

David

David Horniak

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